

APPENDIX B

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE FILING BY OTTER) TAIL POWER COMPANY REGARDING ITS) NOTIFICATION OF INTENT TO APPLY FOR A) PERMIT FOR AN ENERGY CONVERSION) FACILITY)	ORDER DESIGNATING AFFECTED AREA AND LOCAL REVIEW COMMITTEE EL04-034
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On November 12, 2004, the Public Utilities Commission (Commission) received a notification of intent to submit an application for a permit for an energy conversion facility from Otter Tail Power Company (Otter Tail). The proposed electric generating facility, tentatively named Big Stone II, would be located on a brown field site adjacent to the existing Big Stone Plant unit I. The site is located in Grant County east of Milbank and northwest of Big Stone City, South Dakota. The current plans are to construct a 600 MW electric generating station utilizing a single pulverized coal fired steam generator balanced-draft combustion and a single, reheat steam turbine.

Otter Tail estimates the capital cost of the Big Stone II project at one billion dollars.

Under SDCL 49-41B-6, the Commission is required to designate the affected area relative to this filing and also to designate a local review committee within thirty days after the filing of the notification of intent. According to SDCL 49-41B-2(8), the term "siting area" is defined as "that area within ten miles in any direction of a proposed energy conversion facility or which is determined by the commission to be affected by a proposed energy conversion facility." In ARSD 20:10:22:01(1), "affected area" is defined as "that area which may be affected environmentally, socially, aesthetically, or economically by the location of a facility at a proposed site."

At its December 6, 2004, Commission meeting, the Commission discussed the designation of the affected area and the local review committee. The Commission has jurisdiction over this matter pursuant to SDCL 49-41B, specifically SDCL 49-41B-6 and ARSD 20:10:22:01 and 20:10:22:02. After its discussion, the Commission determined that the affected area for Otter Tail's proposed 600 MW (net) electric generating station is an area within 20 miles of the site of the proposed facility in South Dakota, plus the municipalities of Summit and Strandburg, which encompasses portions of Grant and Roberts Counties, the Milbank, Wilmot, Big Stone City, Summit, South Shore, Sisseton and Grant-Deuel School Districts and the cities of Milbank, Revillo, Wilmot, Big Stone City, Stockholm, Strandburg, Summit, Twin Brooks, Marvin, Corona and LaBolt. In accordance with SDCL 49-41B-6, the Commission designated the local review committee which shall be comprised of the following individuals, ex officio:

- (1) The Chairmen of the Grant and Roberts County Commissions;
- (2) The Presidents of the School Boards of the Milbank, Wilmot, Big Stone City, Summit, South Shore, Sisseton and Grant-Deuel School Districts;
- (3) The Mayors or presiding officers of the cities of Milbank, Revillo, Wilmot, Big Stone City, Stockholm, Strandburg, Summit, Twin Brooks, Marvin, Corona and LaBolt; and
- (4) A person appointed by Otter Tail Power Company.

Any person on the committee who ceases to hold such office or appointment shall be replaced on the committee by his/her successor, who shall promptly notify the Commission of such succession.

It is therefore

ORDERED, that the affected area for the purposes of this filing shall consist of an area within 20 miles of the site of the proposed facility in South Dakota, plus the municipalities of Summit and Strandburg, which encompasses portions of Grant and Roberts Counties, the Milbank, Wilmot, Big Stone City, Summit, South Shore, Sisseton and Grant-Deuel School Districts and the cities of Milbank, Revillo, Wilmot, Big Stone City, Stockholm, Strandburg, Summit, Twin Brooks, Marvin, Corona and LaBolt; and it is

FURTHER ORDERED, that the local review committee shall be comprised of the above referenced individuals, serving ex officio, and that any person on the committee who ceases to hold such office or appointment shall be replaced on the committee by his/her successor, who shall promptly notify the Commission of such succession.

Dated at Pierre, South Dakota, this 10th day of December, 2004.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.

By: Melaine Kolb

Date: 12/13/04

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Robert K. Sahr
ROBERT K. SAHR, Chairman

Gary Hanson
GARY HANSON, Commissioner

James A. Burg
JAMES A. BURG, Commissioner